

1653



PATENT
Customer No. 22,852
Attorney Docket No. 03495-0207-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

8/11/02

In re Application of:

Valerie BAUBET et al.

Serial No.: 09/863,901

Filed: May 24, 2001

For: CHIMERIC GFP-AEQUORIN AS
BIOLUMINESCENT Ca++
REPORTERS AT THE SINGLE
CELL LEVEL

)
)
) Group Art Unit: Not yet assigned
)
) Examiner: Not yet assigned
)
)
)
)
)
)

RECEIVED

OCT 08 2002

TECH CENTER 1600/2900

Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, including any copending patent applications, are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 4, 2002

By: 

Kenneth J. Meyers

Reg. No. 25,146

Phone: (202) 408-4000

Fax: (202) 408-4400

E-mail: Ken.Meyers@finnegan.com

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com